

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

NORMAN BROUSSARD and
GENEVIEVE BROUSSARD

PLAINTIFFS

V.

CIVIL ACTION NO.1:06CV006 LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

ORDER

The Court has before it the motion [28] of Defendant State Farm Fire and Casualty Company (State Farm) To Exclude the testimony of James T. Slider (Slider), an expert witness retained by the plaintiffs. State Farm asserts that Slider has failed to meet the requisite standards for reliability established in *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579, 113 S.Ct. 2786, 125 L.Ed.2d 469 (1993) and *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 119 S.Ct. 1167, 143 L.Ed.2d 238 (1999).

It is State Farm's contention that Slider's reliance on data derived from a hindcast of Hurricane Katrina and on photographs taken by the plaintiffs' daughter after the storm renders his opinion inadmissible. I cannot agree. I have reviewed Slider's report, and I find that the data he used in forming his opinion, including his interviews with individuals who had first hand knowledge of the storm, and the data identified by State Farm, and I find that this information is sufficiently reliable to support the opinions he has expressed. The objections State Farm has raised to Slider's testimony goes to its weight, and does not render this testimony inadmissible under *Daubert*, *supra*, and *Kumho Tire Co.*, *supra*.

Accordingly, the motion [28] of State Farm to exclude the testimony of James T. Slider is hereby **DENIED**.

SO ORDERED this 28th day of December, 2006.

S/L.T.SENTER,JR.
SENIOR JUDGE